

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

United States of America,

Case No. 2:19-cr-202

v.

Judge Michael H. Watson

Thomas J. Romano,

Defendants.

ORDER

The Government moved to extend its deadline to produce the expert report and other disclosures for Dr. Timothy King (“Dr. King”). ECF No. 141. In response, Thomas J. Romano (“Defendant”) moved to exclude the opinion testimony of Dr. King. ECF No. 143. On July 19, 2023—before the Court had an opportunity to rule on either motion—the Government completed its disclosures for Dr. King.

For good cause shown, the Government’s motion for an extension of time is **GRANTED**; the Dr. King disclosure deadline is extended to July 19, 2023, which the Government met. Because the Government abided by the relevant deadlines, no sanction, including exclusion, is necessary. Accordingly, Defendant’s motion to exclude is **DENIED**.

That said, the Court is open to options that would minimize any possible prejudice to Defendant from the extension of the disclosure deadline. For example, perhaps the Government could call Dr. King as its last witness, giving

Defendant a few more days to prepare for his testimony. The Court would also be willing to postpone trial by one week, to begin on September 11, 2023.

The parties are **ORDERED** to submit a joint notice **WITHIN FIVE DAYS** notifying the Court if they can agree to either of those options, if no adjustments are necessary, or if some other option would be best. If the parties cannot agree on an option, they shall include a brief argument, **NOT TO EXCEED TWO PAGES PER PARTY**, outlining their respective positions.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT